

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,	§	
	§	
	§	
v.	§	No. A-21-CR-00043-LY
	§	
(1) CHRISTOPHER MANGO,	§	
<i>Defendant</i>	§	

ORDER

Before the Court is Defendant’s Motion to Withdraw and Request for Appointment of Substitute Counsel, Dkt. 67. The Motion states that the attorney-client relationship has become adversarial, and the relationship is beyond repair, which precludes counsel’s continued representation of Defendant. This is the second time Defendant has reached an impasse with appointed counsel and requested a new attorney to be appointed to him. In the Court’s previous order appointing Defendant’s present counsel, the Court advised Defendant that “that future requests for new appointed counsel will not be well taken.” Dkt. 64. Nonetheless, based on present counsel’s, Aaron Eckman, representations in the Motion and at the hearing on the motion, the Court will permit the withdrawal of Mr. Eckman and appoint new counsel. The Court notes, however, that the U.S. Court of Appeals for the Fifth Circuit has observed that “a persistent, unreasonable demand for dismissal of counsel and appointment of new counsel, as herein discussed, is the functional equivalent of a knowing and voluntary waiver of counsel.” *United States v. Moore*, 706 F.2d 538, 540 (5th Cir. 1983); *see also United States v. Mesquiti*, 854 F.3d 267, 272 (5th Cir. 2017)

(same); *United States v. Fields*, 483 F.3d 313, 350 (5th Cir. 2007) (“[I]ndigent defendants have no right to appointed counsel of their choice.”).

IT IS THEREFORE ORDERED that the Motion, Dkt. 67, is GRANTED. Mr. Eckman is permitted to WITHDRAW as counsel for Defendant, and Worth D. Carroll, Sumpter & Gonzalez L.L.P., 3011 N. Lamar, Ste. 200, Austin, TX 78705, 512-381-9955, is appointed to represent Defendant in the above-captioned case. The Court FURTHER ORDERS that Mr. Eckman meet with Mr. Carroll at the earliest opportunity to give Mr. Carroll a copy of the file and bring him up to date with regard to the representation of Defendant. Thereafter, Mr. Eckman has no further responsibilities in this case.

SIGNED June 28, 2022.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE